

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BRIAN SEIDEL, Individually and On Behalf	:	Civil Action No. 1:08-cv-09203-RJS
of All Others Similarly Situated,	:	(Consolidated)
	:	
Plaintiff,	:	<u>CLASS ACTION</u>
	:	
vs.	:	
	:	
NOAH EDUCATION HOLDINGS, LTD., et	:	
al.,	:	
	:	
Defendants.	:	
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NOTICE OF APPEAL

PLEASE TAKE NOTICE that Lead Plaintiff Stephen S. Atkins, Trustee of the Jae Family Lifetime Benefit Trust dated January 17, 1973 for the Benefit of Stephen S. Atkins ("Plaintiff"), on behalf of himself and all others similarly situated, appeals to the United States Court of Appeals for the Second Circuit from the District Court's order of dismissal (Dkt. #58), including the March 31, 2010 order granting Defendants' motion to dismiss Plaintiff's Consolidated Amended Class Action Complaint (Dkt. #57).

DATED: April 29, 2010

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Lead Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2010, I filed the foregoing with the Clerk of the Court in the Southern District of New York, and I hereby certify that I have mailed the foregoing document *via* the United States Postal Service to all counsel indicated on the attached service list.

ROBBINS GELLER RUDMAN &
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A handwritten signature in black ink, appearing to read 'D. A. Rosenfeld', is written over a horizontal line.

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SERVICE LIST

Seidel v. Noah Education Holdings, Ltd., et al.

No. 1:08-cv-09203-RJS (S.D.N.Y.)

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